

DATE: August 18, 2006

TO: Salt Lake City Planning Commission

FROM: Sarah Carroll, Principal Planner

RE: September 13, 2006 Planning Commission Meeting
Petition No. 410-06-28, a Conditional Use request by Robert Bunnell
for a Rooming House at 149 South 900 East, in an RMF-30 (Low
Density Multi-Family Residential) Zoning District.

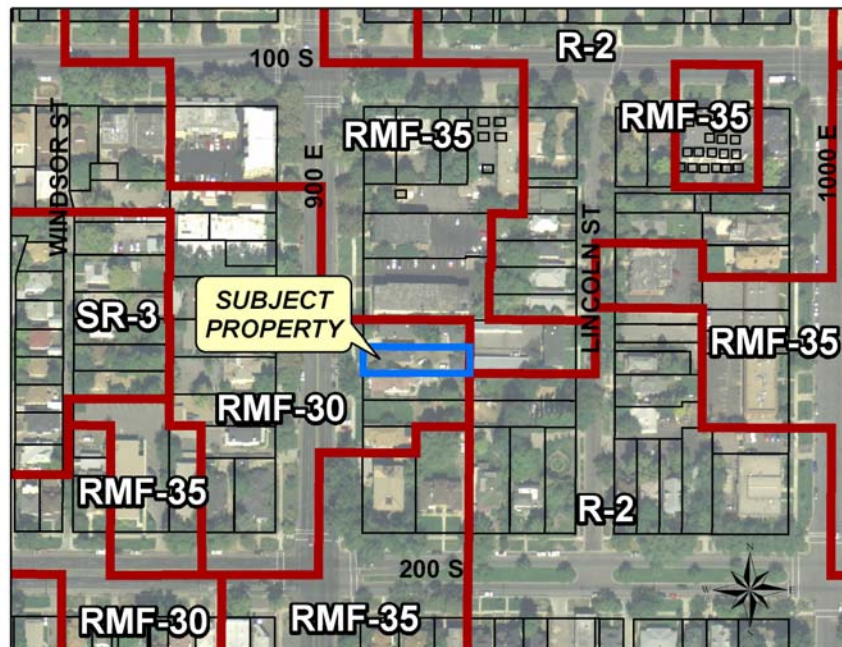
CASE#: 410-06-28

APPLICANT: Robert Bunnell

STATUS OF APPLICANT: Property Owner

REQUESTED ACTION:

Robert Bunnell is requesting to convert the single family residence located at 149 South 900 East into a seven bedroom Rooming House for the purpose of providing affordable rental rooms for seven university students in a location that is within walking distance of the University of Utah and public transportation. The applicant has stated that he will improve the landscaping and add a cedar fence around the perimeter of the property to protect the privacy of the tenants and the neighbors (see Exhibit A for applicant's letter). A Rooming House is a Conditional Use in the RMF-30 zoning district. The Planning Commission is the Decision Making Body for Conditional Uses.



COUNCIL DISTRICT: District 4
PROJECT LOCATION: 149 South 900 East
PROJECT/PROPERTY SIZE: Parcel # 16-05-133-008, 0.16 acres

SURROUNDING ZONING DISTRICTS:

North: RMF-30 (Low Density Multi-Family Residential) and RMF-35 (Moderate Density Multi-Family Residential)
South: RMF-30
East: RMF-35 and R-2 (Single and Two-Family Residential)
West: RMF-30

SURROUNDING LAND USES:

North: Single Family Residence
South: Triplex
East: Apartments
West: Apartments

PROPOSED USE(S): Rooming House

APPLICABLE LAND USE REGULATIONS:

Section 21A.24.120: RMF-30 – Low Density Multi-Family Residential District

Purpose Statement: The purpose of the RMF-30 low density multifamily residential district is to provide an environment suitable for a variety of housing types of a low density nature, including multifamily dwellings.

Section 21A.54: Conditional Uses

Purpose Statement: A conditional use is a use which may have potential adverse impacts upon the immediate neighborhood and the city as a whole. It requires careful review of its location, design, configuration and special impact to determine the desirability of allowing it on a particular site. Whether it is appropriate in a particular location requires weighing, in each case, of the public need and benefit against the local impact, taking into account the applicant's proposals for ameliorating any adverse impacts through special site planning, development techniques and contributions to the provision of public improvements, rights of way and services. The Planning Commission shall only approve, or approve with conditions, based upon written findings of fact with regard to specific standards as outlined on pages 5-8 of this report.

MASTER PLAN SPECIFICATIONS:

The subject property is in the RMF-30 (Low Density Multi-Family Residential) Zoning District. The Central Community Master Plan Future Land Use Map designates this area

for “Low Medium Density Residential (10-20 dwelling units/acre).” The requested rooming house is consistent with the Master Plan and the current zoning.

SUBJECT PROPERTY HISTORY:

The current property owner purchased the home in 2000 and has rented the property to various tenants during his ownership. He now wishes to remodel the interior of the dwelling for use as a seven bedroom Rooming House in order to rent to university students. The applicant states in his letter that along with this remodel he intends to improve the landscaping and install a cedar fence around the property (see Exhibit A).

ACCESS:

The primary vehicular ingress/egress for the site is from 900 East Street.

PROJECT DESCRIPTION:

The applicant is proposing to remodel the existing single family home and add three additional parking spaces to meet the parking requirements. The floor plans provided indicate that there will be two bedrooms on the main floor and five bedrooms in the basement. The parking requirement for rooming houses is “1 parking space for each 2 persons for whom rooming accommodations are required.” The applicant is proposing housing for seven people and therefore must provide four parking stalls; three additional parking stalls are proposed, for a total of five parking stalls (see site plan, Exhibit D).

COMMENTS, ANALYSIS AND FINDINGS:

COMMENTS

The comments received from pertinent City Departments/Divisions are attached to this staff report. The following is a summary of the comments and concerns received (see Exhibit B for full comments):

Community Council

This request was presented to the East Central Community Council meeting on August 23, 2006. The comments and concerns that were expressed are listed below:

- Concern that Conditional Use approval runs with the land. If the current owner were to sell the property, a future property owner might rent to undesirable tenants.
- Concern that the property owner may not follow through with all conditions of approval.
- Concern that rooming houses only require a minimum stay of 30 days. Concern that this may not be in the best interest of the community because it could potentially allow a high turn-over rate among tenants.
- Concern that if the current property owner sold the property that other less desirable land uses may relocate to this site because of the Conditional Use approval for the boarding house.

- Concern that the property owner did a significant amount of internal renovation/remodeling without building permits and with the assumption that the property could be used as a boarding house without first seeking the proper approvals from the City.
- Concern about the lack of off-street parking. There was a suggestion that at least one parking stall be provided for each tenant. (The site plan proposes 5 stalls).
- Concern that there are already too many conditional uses and nonconforming uses located in this vicinity.
- Preference that the property be used as a single family home. The Board did recognize that the property might not generate enough rent to support the improvements that the property owner has made to the property if it is used as a single family home.
- One member of the ECCC Board requested that a small area plan be developed for this area.

Building Services

Converting the existing single family dwelling to a rooming house will require a change of use building permit to address the site improvements as well as the building modifications to satisfy Code. The lot area meets the minimum 5,000 square feet for "other uses." Seven occupants will require 4 parking stalls (the property owner will provide 5).

Public Utilities

Public Utilities has no conflicts with the request to convert the single-family dwelling located at 149 South 900 East into a Rooming House.

Police Department

No comments received.

Engineering

Engineering has no input with regards to a conditional use at this address, for it has no impact on the public way. The public way will be inspected when the permit for additional parking spaces is requested.

Fire

The fire code would require a fire sprinkler system for the change of use from single family dwelling to a rooming house. The code classifies this use as R occupancy and Section 903.2.7 of the code requires installation of an automatic fire protection system.

Zoning Enforcement

Zoning Enforcement received a complaint in April that the property owner was remodeling the interior without permits and planned to rent to more than three unrelated people. The requested rooming house, if approved, will mitigate past enforcement issues.

Transportation Division

900 East is a special collector class roadway with full street improvements. The proposed conversion from a single family dwelling to a Rooming House with the addition of three conforming Salt Lake City standard surface parking stalls in the rear yard should present minimum traffic impacts. The driveway approach improvement proposal is to comply with Salt Lake City standards and policies for driveway design installation and is subject to the public way permitting process as needed.

ANALYSIS AND FINDINGS

The Planning Commission must make a determination on whether or not the overall concept of the Conditional Use request for a rooming house meets the criteria listed in the Zoning Ordinance as stated below.

21.54.080 Standards for Conditional Uses:

- A. The proposed development is one of the conditional uses specifically listed in this Title.**

Discussion: Table 21A.24.190 specifically lists rooming (boarding) houses as a conditional use in the RMF-30 zoning district.

Finding: The proposed development is specifically listed as a conditional use.

- B. The proposed development is in harmony with the general purposes and intent of this Title and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans.**

Discussion: Rooming Houses are listed as a Conditional Use in the subject zone and the Central Community Master Plan Future Land Use Map designates this area for “Low Medium Density Residential (10-20 dwelling units/acre).”

Finding: The proposed rooming house is compatible with the type of development that occurs in the RMF-30 zoning district. The proposed development is in harmony with the general purposes and intent of this Title and is compatible with and implements the planning goals and objectives of the City, including the Central Community Master Plan.

- C. Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets.**

Discussion: Main access to the parking on this property is from 900 East. The Salt Lake City Transportation Division has reviewed this request and stated that the proposed conversion from a single family dwelling to a Rooming House with

the addition of three conforming Salt Lake City standard surface parking stalls in the rear yard should present minimum traffic impacts.

Finding: The Transportation Division comments ascertain that the means of proposed access is suitable to carry anticipated traffic and will not materially degrade the service level on the adjacent streets.

D. The internal circulation system of the proposed development is properly designed.

Discussion: In Table 21A.44.060.F Schedule of Off Street Parking Requirements, the required parking listed for a rooming house is “1 parking space for each 2 persons for whom rooming accommodations are required.” The applicant is proposing living space for seven occupants and is therefore required to provide 4 parking stalls. The site plans submitted display a two car garage and three additional parking spaces, for a total of five (see Exhibit D).

Finding: The Transportation Division has reviewed the proposed parking layout and given preliminary approval. Therefore, the internal circulation system of the proposed development is properly designed.

E. Existing or proposed utility services are adequate for the proposed development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources.

Discussion: Salt Lake City Public Utilities has no objection to the proposed Conditional Use for a rooming house at this location.

Finding: The existing and proposed utility services are adequate for the proposed development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources.

F. Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts.

Discussion: The abutting properties consist of a single family dwelling, a triplex and apartment buildings. The applicant has stated that he will install a cedar fence around the perimeter of the property to provide additional privacy for the tenants and the neighbors. The applicant has also stated that the house rules will strictly forbid noise impact on the neighbors.

Finding: The cedar fence that is proposed by the applicant has been made a condition of approval and will be subject to City Ordinances in terms of height and location. This fence will provide appropriate buffering to protect adjacent land uses from light, noise and visual impacts.

G. Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood.

Discussion: The subject property is abutting a single family residence to the north that is owner-occupied, a single family residence to the south that is a rental unit, an apartment building to the east and an apartment building across the street and is in an RMF-30 zoning district. The exterior of the dwelling will not be modified and will remain compatible with the adjacent neighborhood. The streetscape will not be affected.

Finding: The architecture and building materials are consistent with the development and compatible with the adjacent neighborhood.

H. Landscaping is appropriate for the scale of the development.

Discussion: The applicant has stated in the attached letter that the landscaping will be improved with lawns, shrubs and trees and that unsightly trees will be removed from the back yard and green space with vegetable and flower gardens will be installed. The applicant also stated that an automatic sprinkling system will maintain healthy landscaping.

Finding: Landscaping that is typical of a single-family home is appropriate for the scale of the development.

I. The proposed development preserves historical architectural and environmental features of the property.

Discussion: There are no existing structures in the vicinity listed as historical resources, nor are there any that are designated as an individual landmark site. The site does not contain any specific historic or environmental features that will require preservation or mitigation.

Finding: The proposed development has no affect on historical architectural or environmental features of the property.

J. Operating and delivery hours are compatible with adjacent land uses.

Discussion: The requested residential use does not require any scheduled operating hours or frequent/regular deliveries.

Finding: Operating and delivery hours are not applicable to this request.

K. The proposed conditional use or, in the case of a planned development, the permitted and conditional uses contained therein, are compatible with the neighborhood surrounding the proposed development and will not have a

material net cumulative adverse impact on the neighborhood or the City as a whole.

Discussion: The proposed rooming house will be located in a low density multifamily zoning district and will be adjacent to other medium density rental properties.

Finding: The proposed conditional use is compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.

L. The proposed development complies with all other applicable codes and ordinances.

Discussion: The proposed development must comply with all applicable city codes and ordinances. All of the department comments stated in this report must be complied with along with any additional requirements that may be necessary through the permitting process. All pertinent City codes must be addressed on the remodel plans in order to obtain a building permit.

Finding: The proposed development complies with all other applicable codes and ordinances.

RECOMMENDATION:

Based on the Findings of fact, Staff recommends that the Planning Commission approve the requested Rooming House with the following conditions:

Conditions of Approval

1. Standard permit plan review process is required for compliances with Building Code, Fire, Engineering, Public Utilities and Transportation.
2. That a cedar fence be installed around the rear and sides of the property, subject to the zoning ordinance in terms of height and location.
3. That the landscaping be improved and maintained in a manner that complies Salt Lake City Ordinance, Chapter 21A.48, Landscaping.

Sarah Carroll, Principal Planner
Planning Division

Exhibits:

- A. Applicant's Letter
- B. Comments from City Departments/Divisions
- C. Photo's of Subject Property
- D. Floor Plans and Site Plan